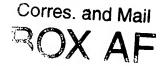


# AMENDMENT AFTER FINAL EXPEDITED PROCEDURE ART UNIT 1648





PATENT

ATTORNEY DOCKET NO.: UCI1150-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Fan et al.

Art Unit:

1648

Application No.:

10/030,441

Examiner:

S. Brown Chen

Filing Date:

May 16, 2002

Conf. No.:

6562

Title:

A LUNIC CANCED ACCOCIATED DETROVIDIC CEN

A LUNG CANCER ASSOCIATED RETROVIRUS, GENE DELIVERY

VECTOR AND METHODS OF USE THEREOF

Mail Stop AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application please find:

- 1. Response to the Final Office Action mailed July 13, 2004 (14 pages); and
- 2. Return Receipt Postcard.

**CERTIFICATION UNDER 37 CFR §1.8** 

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on October 1, 2004, in an envelope addressed to: Mail AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA

Lisa Jamheau

Gray Cary\ GT\6416940.1 104695-160426 In re Application of:

' Fan et al.

Application No.: 10/030,441

Filed: May 16, 2002

Page 2

The Fee for this Response is calculated as follows:

For	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity Rate	Large Entity Rate	Calculations
Total Claims	53	59	0	x \$09	x \$18	\$ 0.00
Independent Claims	10	11	0	x \$42	x \$84	\$ 0.00
Multiple Claims	-	-		\$140	\$280	\$ 0.00
Basic Filing Fee				\$370	\$740	\$ 0.00
					TOTAL FEE	\$ 0.00

No fee is deemed necessary with the filing of this paper. However, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Attorney Docket No.: UCI1150-1

Date: October 1, 2004

Lisa A/Haile, J.D., Ph.D.

Reg. No. 38,347

Telephone: (858) 677-1456 Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 USPTO Customer Number 28213



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Mail Stop AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### AMENDMENT IN RESPONSE TO THE FINAL OFFICE ACTION

Sir:

In response to the Office Action dated July 13, 2004, which the Examiner has made final, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 11 of this paper.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on October 1, 2004, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 \$\frac{1}{4}\$450.

Lisa Jambeau

Gray Cary\ GT\6411367.1 104695-160426